

HUMAN SERVICES BOARD

INTRODUCTION

FINDINGS OF FACT

3. The petitioner appeals that decision because she feels it is unfair to count the parents' income when he is over eighteen years of age. She also feels it is unfair to

make the parents responsible for providing insurance for him since he cannot be covered by their policy.

ORDER

The decision of DCF is affirmed.

REASONS

Regulations in the VHAP program require that parents and children in their household under the age of 21 be included together in the VHAP group for purposes of determining eligibility. VHAP 4001.8. The total gross income of all persons in the group is used to determine the family's countable income for eligibility. VHAP 4001.81. This income is subject to a \$90 "standard employment expense deduction", making this family's countable income \$3,087.54. VHAP 4001.81(e). Under VHAP regulations, the maximum income for a family of three is \$1,959. VHAP 4001.84, P-2420D. As this family's income is well above that figure, DCF was correct to find the petitioner's son is not eligible for VHAP benefits. Eligibility of children under twenty-one for their parents' insurance is not a factor under the regulations. As DCF's decision in this matter is in accordance with its regulations,

the Board is bound to affirm the result. 3 V.S.A. § 3091(d),
Fair Hearing Rule 17.

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